



Linda S. Adams
Secretary for
Environmental Protection

**California Regional Water Quality Control Board
North Coast Region
William R. Massey, Chairman**

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Arnold
Schwarzenegger
Governor

December 5, 2006

Mr. Bob Sleppy
CDGS, Real Estate Services
707 Third Street, Suite 3-305
West Sacramento, CA 95605

Dear Mr. Sleppy:

Subject: Issuance of Clean Water Act Section 401 Certification (Water Quality Certification) for the Elk Camp Fire Station

File: CDF – Elk Camp Fire Station
(WDID No. 1B06117WNHU)

This Order by the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), is being issued pursuant to Section 401 of the Clean Water Act (33 USC 1341), in response to your request, on behalf of the California Department of General Services (applicant), for Water Quality Certification for activities related to roadside drainage ditch modifications for the Elk Camp Fire Station located north of Orick in Humboldt County. On August 18, 2006, the Regional Water Board received your application and a \$973.00 processing fee. On October 30, 2006, we deemed the application complete and posted information describing the project on the Regional Water Board's website for a 21-day public review and comment period. We did not receive any public comments on this project.

Project Description: The project involves construction of a new Elk Camp Fire Station to replace the existing Elk Camp Fire Station that was built in 1951. The new fire station will provide fire protection for the Redwood National Park and Redwood State Park. The project site is bounded by Lost Man Creek to the northeast, Highway 101 to the southeast, and Prairie Creek to the northwest. The project involves demolition of the existing structures on the new building site and construction of the new facility on upland portions of the site.

Impacts to waters of the United States are associated with modifications to existing roadside drainage ditches to

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accommodate widening of Highway 101 and two existing driveways adjacent to the highway. The highway will be widened to allow for installation of a left turn lane adjacent to the new fire station. The existing roadside ditch along the southeast side of the highway will be filled and relocated along the wider section of highway. The two driveways that provide access into the fire station property will be widened to allow for two-way traffic and the existing 24-inch diameter culverts under both driveways will be replaced and extended to accommodate the wider driveways. Extension of the culverts and installation of erosion protection at the culvert inlets and outlets will permanently impact approximately 0.017 acre of existing roadside drainage ditch. Installation of erosion control fabric and hydromulch around the culvert inlet on the northernmost driveway is expected to permanently impact 0.02 acre of seasonal wetlands.

Receiving Waters: Unnamed roadside drainages tributary to Prairie Creek in the Orick Hydrologic Area

Latitude/Longitude: 41.329N/124.031W

Filled or Excavated Area: Area Temporarily Impacted: 0.01 acre of roadside drainage
Area Permanently Impacted: 0.13 acre of roadside drainage including 0.02 acre of seasonal wetland

Total Linear Impacts: Length Temporarily Impacted: 546 feet of roadside drainage
Length Permanently Impacted: 20 feet of roadside drainage

Federal Permit: U.S. Army Corps of Engineers Nationwide Permit Nos. 3, 14, and 33

Compensatory Mitigation: Compensatory mitigation for this project includes creation of new roadside drainage ditches that are similar in size, shape and vegetation type to the existing roadside drainages and seasonal wetland that will be filled during the project. A new vegetated drainage swale will be installed along the southwest side of the new facility to convey storm water runoff into the existing roadside ditch.

Noncompensatory Mitigation: Noncompensatory mitigation measures for this project include the use of Best Management Practices (BMPs) for sediment and turbidity control.

CEQA Compliance: The California Department of Forestry and Fire Protection, as lead agency for California Environmental Quality Act (CEQA) compliance, certified a Negative Declaration for the project on October 4, 2002.

Standard Conditions: Pursuant to Title 23, California Code of Regulations, Section 3860 (23 CCR 3860), the following three standard conditions shall apply to this project:

- 1) This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and 23 CCR 3867.
- 2) This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
- 3) The validity of any nondenial certification action (actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR 3833, unless otherwise stated in writing by the certifying agency.

Additional Conditions: Pursuant to 23 CCR 3859(a), the applicant shall comply with the following additional conditions:

- 1) The applicant shall notify Regional Water Board staff at least five working days (working days are Monday – Friday) prior to the commencement of the project, with details regarding the schedule of operations, to allow staff the opportunity to be present onsite and to answer any public inquiries that may arise regarding the project.
- 2) A copy of this permit must be provided to all contractors and subcontractors conducting work on this project, and a copy must be in their possession at the work site. It is the applicant's responsibility to ensure that the contractor and all subcontractors are provided a copy of

this permit.

- 3) The applicant and/or its contractor shall obtain coverage under the State Water Resources Control Board's National Pollutant Discharge Elimination System General Permit (General Storm Water Permit) for Storm Water Discharges Associated with Construction Activity and shall comply with this General Storm Water Permit.
- 4) All activities and BMPs shall be implemented according to the submitted application and the conditions in this Water Quality Certification.
- 5) Adequate BMPs for sediment and turbidity control shall be implemented and in place during and after construction.
- 6) All concrete wastes and water that comes in contact with fresh concrete must be fully contained in order to prevent any discharge to surface water and ground water.
- 7) Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the United States. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the United States. At no time shall the applicant use any vehicle or equipment, which leaks any substance that may impact water quality. If, at any time, an unauthorized discharge to surface waters occurs from operation, fueling, lubrication, maintenance, storage or staging activities, the project shall cease immediately and Regional Water Board staff shall be notified promptly.
- 8) No bark, slash, sawdust, oil or petroleum products, or other organic or earthen material, other than that authorized by this permit, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. If, at any time, an unauthorized discharge of bark, slash, sawdust, oil or petroleum products, or other organic or earthen material to surface waters occurs, or any water quality problem arises, the

project shall cease immediately and Regional Water Board staff shall be notified promptly.

- 9) When operations are completed, any excess material or debris shall be removed from the work area and disposed of properly. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
- 10) Project activities shall comply with provisions in the North Coast Region Water Quality Control Plan (Basin Plan).
- 11) The project site may be visited and assessed by Regional Water Board staff to document compliance with this certification.
- 12) This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the applicant, the applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address, and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the Project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the Project as described in this Order.

Water Quality Certification: I hereby issue an order [23 CCR Subsection 3831(e)] certifying that any authorized discharge from the Elk Camp Fire Station Project, (Facility No. 1B06117WNHU) will comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act [33 USC Subsection

1341 (a)(1)], and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description, and b) compliance with all applicable requirements of the Regional Water Board's Water Quality Control Plan for the North Coast Region (Basin Plan).

Expiration: The authorization of this certification for any dredge and fill activities expires on December 5, 2011. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

Please notify Dean Prat of our staff at (707) 576-2801 prior to construction (pursuant to Additional Condition No. 1 above) so that we can answer any public inquiries about the work.

Sincerely,

Catherine Kuhlman
Executive Officer

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cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333
Market Street, San Francisco, CA 94599
U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA
95502
Mr. Eric Htain, EDAW Inc., 2022 J Street, Sacramento, CA 95814